



MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

CARRIE NOTEBOOM
Phone: 212-356-2319
Fax: 212-356-1148
E-mail: cnoteboo@law.nyc.gov

September 6, 2013

VIA ECF

The Honorable Paul A. Crotty
U.S. District Court, Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312
CrottyNYSDChambers@nysd.uscourts.gov, Marlon_Ovalles@nysd.uscourts.gov

Re: *Residents for Sane Trash Solutions v. U.S. Army Corps of Engineers*, 12-cv-8456
(PAC), and *Kellner v. U.S. Army Corps of Engineers*, 12-cv-8458 (PAC)

Dear Judge Crotty:

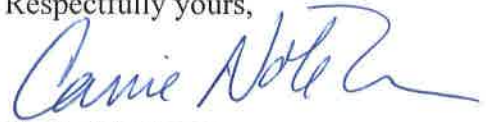
I write to request permission to file oversized briefs in support of the City's motions for judgment on the pleadings and summary judgment, and in opposition to plaintiffs' motions for summary judgment. Pursuant to the so-ordered briefing schedule in these two related matters, opening briefs in support of all parties' motions for summary judgment, and the City's motion for judgment on the pleadings, are due on September 20, 2013; all parties' opposition briefs are due on November 8, 2013; and all parties' reply briefs are due on December 13, 2013. It is my understanding that plaintiffs in each action are planning to submit separate briefs in support of their motions for summary judgment, as well as separate opposition and reply briefs.

The City will be addressing all claims raised in both Amended Complaints in one brief that includes its arguments in support of both its motion for judgment on the pleadings under Rule 12(c) and for summary judgment under Rule 56. The City will also be opposing both sets of plaintiffs' motions for summary judgment in one opposition brief, and submitting a single reply brief. Based on the number of claims in the Amended Complaints, the complexity of moving for relief under two separate federal rules in one set of motion papers, and the lengthy administrative record at issue in the summary judgment motion, the City respectfully requests that the following page limits apply to its briefs:

- City's Memorandum of Law in Support of its Motions for Judgment on the Pleadings and for Summary Judgment: one brief of no more than forty (40) pages;
- City's Memorandum of Law in Opposition to Plaintiffs' Motions for Summary Judgment: one brief of no more than thirty-five (35) pages;
- City's Reply Brief: one brief of no more than fifteen (15) pages.

Thank you for your consideration of this request.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Carrie Noteboom", with a stylized flourish at the end.

Carrie Noteboom
Assistant Corporation Counsel

cc: All counsel (via ECF)